

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
: ROSALEEN CLARKE, ISMAEL ALVARADO, and:  
: LARRY DON SMITH, individually and on behalf of:  
: all others similarly situated,  
:

Plaintiffs,

Case No. 12 Civ. 7496 (LAK) (FM)

v.

: AMERICAN EXPRESS COMPANY, AMERICAN  
: EXPRESS TRAVEL RELATED SERVICES, INC.,  
: AMERICAN EXPRESS CENTURION BANK,  
: AND AMERICAN EXPRESS BANK, FSB,  
:

Defendants.  
----- X

**STIPULATION OF VOLUNTARY DISMISSAL  
PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

**IT IS HEREBY STIPULATED AND AGREED** by and between the attorneys for the respective parties thereto, that the above-captioned action is voluntarily dismissed, without prejudice against defendants American Express Company, American Express Travel Related Services Company, Inc., American Express Centurion Bank and American Express Bank, FSB pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

Dated: September 4, 2014

STROOCK & STROOCK & LAVAN LLP

By:   
Joseph E. Strauss

180 Maiden Lane  
New York, NY 10038-4982  
Tel: (212) 806-5400  
Fax: (212) 806-6006

*Counsel to Defendants*

PARIS ACKERMAN & SCHMIERER LLP

By:   
Ross H. Schmierer

103 Eisenhower Parkway  
Roseland, NJ 07068  
Tel: (973) 228-4860  
Fax: (973) 629-1246

*Counsel to Plaintiffs*